

and further in view of Vogelman et al. (U.S. Pat. No. 5,264,822). It is submitted that these rejection be withdrawn for at least the following reasons.

Claim 10 is directed to a vehicle cradle for removably receiving a portable terminal in a motorized vehicle comprising a housing configured to allow a user to secure and remove the portable terminal, a power management system for delivering power to the portable terminal when secured to the housing, a communication port for communicating data from the vehicle cradle to the portable terminal and a GPS system locator.

Claim 39 is directed to a system for fulfilling orders placed from a remote computer comprising a communication network for communicating an order from the remote computer to a central order processor, a portable terminal having a data communication network connection for retrieving the order from the central order processor and a vehicle cradle for mounting on a motorized delivery vehicle, the cradle including a housing for removably receiving the portable terminal, a power management system for delivering power to the portable terminal and a communication port for communicating data from the cradle to the portable terminal. The portable terminal is operable with the vehicle cradle and at a location remote from the vehicle cradle.

Claim 45 is directed to a vehicle cradle for removably receiving a portable terminal in a motorized vehicle, the portable terminal being operable at a location remote from the cradle and when within the vehicle cradle. The cradle comprises a housing configured to allow a user to secure and remove the portable terminal, a battery charger for charging the a battery within the portable terminal, a communications port for receiving data from the portable terminal and a signal transmitter for transmitting the data received from the portable terminal over a wide area wireless communication network.

The Examiner states that Johnsen teaches “a vehicle cradle for housing a portable terminal in a vehicle used to deliver items to a destination address [], said cradle comprising: a housing for securing/removing the portable terminal []; a power management system for delivering poser to the portable terminal when secured to the housing[]; a communication port for communicating data from the vehicle cradle to the portable terminal[]; a rechargeable power supply and a power receptacle 35 for recharging batteries ...”

Applicants respectfully disagree with the Examiner's interpretation of the Johnsen disclosure. Johnsen discloses a display system 10 that is mounted on a shopping cart. Even if the shopping cart is construed to be a motorized vehicle, there is no disclosure of a cradle for securing the display system to the shopping cart. The securing of the display system to the shopping cart cannot be construed as incorporating a "cradle" as the term is used in the applicants' claimed invention. Applicants' portable terminal may be secured and removed from the cradle.

Moreover, Johnsen does not disclose the power management system (independent claims 10 and 39) or the battery charger (independent claim 45) of the applicants' invention. In applicants' invention, the portable terminal can operate when removed from the cradle and, when the portable terminal is secured to the cradle, power is delivered from the power management system/battery charger to the portable terminal. Johnsen discloses a rechargeable power supply 44 for the system. The power receptacle 35 of Johnsen is provided on the display system so that batteries for the system can be recharged. In Johnsen the power source that provides the power to the power receptacle is supplied by some external element. There is no disclosure of a power management system/battery charger element that supplies power to the display system when the display system is secured to the shopping cart. As discussed above, Johnsen does not disclose removing the display system from the shopping cart. Therefore, there is no disclosure in Johnsen of having a power management system/battery charger that is separate from the display system.

Finally, because Johnsen does not disclose a cradle, there is no disclosure of a communication port for communicating data from the vehicle cradle to the portable terminal. Data port 34 of Johnsen allows for "inputting data to the display system." (Col. 7, line 23.) Data port 34 is not for communicating data from the vehicle cradle to the portable terminal.

Furthermore, with respect to claims 10 and 41, the Examiner states that in view of Shah it would have been obvious to an artisan of ordinary skill in the art to integrate a GPS system into the teachings of Johnsen. There is no suggestion to combine Shah with Johnsen. Johnsen is directed to a terminal mounted to a shopping cart. Absent

Applicants' invention, there is no motivation to combine the GPS system of Shah with the shopping cart of Johnsen.

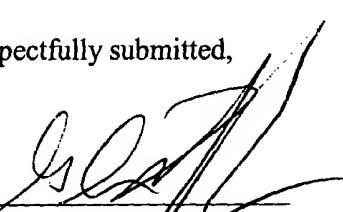
**Conclusion**

Applicants respectfully submit that pending claims 10 and 39-45 contain allowable subject matter.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 that are not enclosed herewith, please charge such fees to Deposit Account No. 19-5407.

Should the Examiner be of the view that a telephone interview would expedite consideration of these remarks please call the undersigned at (631) 738-5570.

Respectfully submitted,

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